IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 17732 of 2006
Date of decision: November 10, 2006

Kamla Devi and Others .....Petitioners

Versus

State of Haryana etc. .....Respondents

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA
HON'BLE MRS. JUSTICE NIRMAL YADAV

Present: Mr. S.S.Dinarpur, Advocate
for the petitioner

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ASHUTOSH MOHUNTA, J (Oral)

The petitioners have prayed for quashing of the Notifications dated 21.04.1987 and 30.04.2002 (Annexrues P-2 and P-6), issued under Sections 4 and 6 of the Land Acquisition Act, 1894, respectively, by which the land of the petitioners, was acquired for public purposes, namely, for development and utilization of land as residential, commercial area for Sector 15, Jagadhri.

Learned counsel for the petitioners contends that the land of the petitioners is liable to be released from acquisition, as the petitioners have constructed their houses in Khasra Nos. 442 and 443, situated within the revenue estate of Village Tejhli, Jagadhari. It is contended that the lands of some other persons, who had also constructed their houses in khasra No. 442, have been released from acquisition.

As even the award has been passed in this case, therefore, we

decline to interfere in exercise of writ jurisdiction under Articles 226 of the Constitution of India. However, the petitioners may represent before the competent authority for the release of their land over which, they have constructed their houses. In case, the petitioners make such a representation, the same shall be decided by the authority expeditiously, preferably within two months from the date of receipt of a certified copy of this order.

Petition disposed of accordingly.

(ASHUTOSH MOHUNTA)
JUDGE

(NIRMAL YADAV)
JUDGE

November 10, 2006
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